

RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as provided in the Mediated Settlement Agreement dated July 2, 2025, between Emerson Capital Group, LLC, Banc Development Limited and NVR Inc., and Hernando County, and as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: NVR, Inc., Barbara Zellmer, Regional Land Entitlement Manager

FILE NUMBER: H2453

REQUEST: Rezoning from CPDP (Combined Planning Development Project) with GC (General Commercial) and SF (Single-family) uses, and CPDP (Combined Planning Development Project) with OP (Office Professional) and Congregate Care Facility uses, to PDP(MF)/ Planned Development Project (Multifamily) for the development of a townhome community and to establish an associated master plan

GENERAL

LOCATION: South side of Cortez Boulevard (SR 50) at its intersection with Oxley Road, reaching Emerson Road approximately 940' south of its intersection with Cortez Boulevard (SR 50)

PARCEL KEY

NUMBERS: 420556, 1580541, 739730, 1411163, 1411154, 739749, 476407

REQUEST: Rezoning from CPDP (Combined Planning Development Project) with GC (General Commercial) and SF (Single-family) uses, and CPDP (Combined Planning Development Project) with OP (Office Professional) and Congregate Care Facility uses, to PDP(MF)/ Planned Development Project (Multifamily) for the development of a townhome community and to establish an associated master plan which is attached as Exhibit "A" to the above-referenced Mediated Settlement Agreement, and which excludes the area in the master plan labeled as "PROPOSED 1.50 +/- ACRE COMMERCIAL PARCEL" ("Commercial Parcel"); Commercial Parcel shall retain its existing commercial entitlements, specifically CPDP with GHC uses under Case No.: H-05-35 which was approved on Sept. 14, 2005 ("the Request"); and approval of the Mediated Settlement Agreement. The Mediated Settlement Agreement and Exhibit "A" are incorporated herein by reference and made a part hereof. The representations contained in the rezoning application, the Mediated Settlement Agreement and Exhibit "A" are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS

OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein

by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the Request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The Request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

**CONCLUSIONS
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The Request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES the Request for a Rezoning from CPDP (Combined Planning Development Project) with GC (General Commercial) and SF (Single-family) uses, and CPDP (Combined Planning Development Project) with OP (Office Professional) and Congregate Care Facility uses, to PDP(MF)/ Planned Development Project (Multifamily) for the development of a townhome community and to establish an associated master plan as shown in the Mediated Settlement Agreement and Exhibit "A", which are incorporated herein by reference and made a part hereof, and APPROVES the said Mediated Settlement Agreement. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____ 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

By: Melissa Tartaglia
County Attorney's Office